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**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted to Group Art Unit 3729,  
703-872-9306, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria,  
VA 22313-1450.

Date: October 14, 2004

June Keating

**PATENT**  
36856.584

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Koji MORITA et al. Serial No.: 10/036,599 Filing Date: November 9, 2001 For: <b>METHOD OF MANUFACTURING PIEZOELECTRIC COMPONENT</b>	Art Unit: 3729  Examiner: A. D. Tugbang
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**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, submitted herewith are copies of a Second Office Action and one prior art reference issued in a corresponding Chinese Patent Application. For the Examiner's convenience, we have enclosed an English translation of the Chinese Office Action from the corresponding Chinese Patent Application and a completed Form PTO-1449. Applicants did not submit herewith a copy of the U.S. reference as this is no longer required. The statement is not a representation that all of the information cited is necessarily effective as prior art against the application.

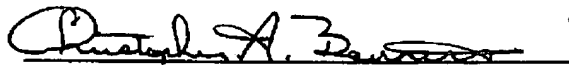
U.S. Serial No. 10/036,599  
October 14, 2004  
Page 2 of 2

I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this statement, and that this is the first citation of these prior art references by a foreign patent office in a counterpart foreign patent application. Accordingly, no fee is necessary for the filing of this statement. Should the Commissioner determine otherwise, the Commissioner is authorized to charge Deposit Account No. 50-1353 for any fee shortages, including the petition fee under 37 C.F.R. § 1.17(p).

Applicants respectfully request that the disclosed references be made of record in the subject application.

Respectfully submitted,

Date: October 14, 2004



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**THE PATENT OFFICE OF THE STATE INTELLECTUAL PROPERTY OFFICE  
OF THE PEOPLE'S REPUBLIC OF CHINA**

Address: No. 6 Xi Tucheng Lu, Jimeng Qiao Haidian District, Beijing Post code: 100088 P.O.BOX: Beijing 8020

**Shanghai Patent & Trademark Law Office**

Examiner

Application No.: 99123348.4	Department:	Date of Dispatch August 13, 2004
Applicant: MURATA MANUFACTURING CO., LTD.		
Title: PIEZOELECTRIC COMPONENT AND METHOD OF MANUFACTURING THE SAME		

**THE SECOND OFFICE ACTION**

1. ☒ The Examiner has received the observations delivered by the applicant on May 9, 2004 in response to the First Office Action issued by the Patent Office, on the basis of which the Examiner has continued to proceed with the examination as to substance on the above application for patent for invention.  
☐ Based on the Decision on Reexamination made by the Reexamination Board of the Patent Office on \_\_\_\_\_, the Examiner has continued to proceed with the examination as to substance on the above application for patent for invention.
2. ☐ The amended documents submitted on \_\_\_\_\_ by the Applicant do not conform with Item 3, Rule 51 of the Implementing Regulations, and can not be accepted; the applicant shall submit the amended documents that are in accord with the requirement(s) within one month from the receipt of this Notice, or it will be deemed that the Notice has not been responded to, and the application will be deemed to have been withdrawn.
3. The continued examination is directed at the following application documents:
  - ☐ The amended application documents attached to the above observations.
  - ☒ The application documents as pointed out by the last Office Action and the replacement sheets of the amended application documents attached in the above observations.
  - ☐ The application documents as pointed out by the last Notice on Office Action.
  - ☐ The application documents as certified by the above Decision on Reexamination.
4. ☐ This Notice has not cited any new comparison documents.  
☒ This Notice has cited the following comparison material (The respective serial number(s) shall be used in the examination procedure(s) hereafter):

No.	Number/Title of Literature	Date of Publication (or the filing date of the conflicting Application)
2	US5148077A	Sep 15, 1992

5. The conclusive opinions drawn from the examination:

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☐ As regards the Specification:

- ☐ The contents of the application fall under the scope stipulated by Article 5 of the Patent Law for which no patent right should be granted.
- ☐ The specification does not conform with the provision of Item 3, Article 26 of the Patent Law.
- ☐ The amendment of the specification does not conform with the provision of Article 33 of the Patent Law.
- ☐ The drafting of the specification does not conform with the provision of Rule 18 of the Implementing Regulations.
- ☐

☒ As regards the Claims:

- ☐ Claim \_\_\_\_\_ does not possess the novelty as stipulated in Item 2, Article 22 of the Patent Law.
  - ☒ Claim 1, 13 does not possess the inventiveness as stipulated in Item 3, Article 22 of the Patent Law.
  - ☐ Claim \_\_\_\_\_ does not possess the practical applicability as stipulated in Item 4, Article 22 of the Patent Law.
  - ☐ Claim \_\_\_\_\_ falls under the scope of Article 25 of the Patent Law where no patent right is to be granted.
  - ☐ Claim \_\_\_\_\_ does not conform with the provision of Item 4, Article 26 of the Patent Law.
  - ☐ Claim \_\_\_\_\_ does not conform with the provision of Item 1, Article 31 of the Patent Law.
  - ☐ The amendment of the Claim \_\_\_\_\_ does not conform with the provision of Article 33 of the Patent Law.
  - ☐ Claim \_\_\_\_\_ does not conform with the definition on invention as stipulated in Item 1, Article 2 of the Implementing Regulations.
  - ☐ Claim \_\_\_\_\_ does not conform with the provision of Item 1, Rule 13 of the Implementing Regulations.
  - ☒ Claim 12, 13 does not conform with the provisions of Rules 20 of the Implementing Regulations.
- Refer to the text of this Notice for the specific analyses of the conclusive opinion.

## 6. Based on the above conclusive opinion, the Examiner deems that:

- ☐ The applicant shall amend the application documents in accordance with the requirements raised in the text of the Notice.
- ☒ The applicant shall discuss in his observations reasons why this application for patent can be granted a patent right, and amend the portions indicated in the text of the Notice which have been deemed as not conforming with the provisions. Otherwise said application will be rejected.
- ☐ There is no substantive contents in the application for patent which can be granted a patent right. If the applicant does not have sufficient reasons to enable it to be granted a patent right, said application will be rejected.

7. The applicant is asked to note the following items:

- (1) According to the provision of Article 37 of the Patent Law, the applicant shall submit his observations within two months from the receipt of this Notice. Where, without justified reasons,

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the applicant does not respond at the expiration of said date, the application shall be deemed to have been withdrawn

- (2) The amendments of the application shall be made in conformity with the provisions of Article 33 of the Patent Law and Rule 51 of the Implementing Regulations
  - (3) The Observations and/or amended documents of the applicant's shall be mailed or delivered to the Department of Receipt of the Patent Office. These documents shall have no legal effects if they are not mailed or delivered to the Department of Receipt
  - (4) Without first making an appointment, the applicant and/or his agent can not go to the Patent Office to have an interview with the Examiner
8. The text of this Notice totals 2 page(s), including the following attachments:
- ☒ duplicate copy(ies) of cited comparison document(s), altogether 1 copy(ies) 11 pages.
- ☐

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